IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5726 OF 2005

Mohd. Ilyas Mohd.Ibrahim Momin ...Applicant
Vs.
The State of Maharashtra ...Respondent

Shri. Ganesh Gole for the Applicant.
Ms M.M. Deshmukh, A.P.P. for the Respondent.

CORAM : A. S. OKA, J.
DATE : SEPTEMBER 16, 2005.

P.C.:

1. Heard the Advocate appearing for the Applicant and the learned A.P.P. for the State. The offence alleged against the Applicant is under sections 205, 467, 468 and 471 of the Indian Penal Code. The learned A.P.P. stated that the investigation is completed and chargesheet will be filed in this week.

2. The allegation against the Applicant is that the Applicant offered his surety to one accused in another case. The allegation is that the documents produced by the Applicant for verification were found to be fabricated. After having heard the learned A.P.P., I find that only one document namely a ration card receipt is found to be fabricated and other documents such as PAN Card, Identity Card etc., appear to be genuine documents. The case of the Applicant is that the ration card receipt is given to him by an agent. The age of the Applicant is above sixty-five years and now the investigation is complete. Hence, case is

made out for enlarging the Applicant on bail.

3. Hence, I pass the following order:

: O R D E R :

i) The Applicant shall be enlarged on bail in connection with **M.I.C.R.No.10 of 2005 registered with Borivali Police Station,** subject to furnishing a personal bond of **Rs.10,000/-** with one or two sureties in the like amount.

ii) The Bail is granted subject to condition that the Applicant shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

iii) The Applicant shall co-operate with the learned Trial Judge for expeditious disposal of the trial. Any attempt by the Applicant to delay the trial may be a ground for cancellation of bail.

iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

v) Application is disposed of in above terms.

vi) The parties to act upon an authenticated copy of this order.

JUDGE